

TAB

IN UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the matter of trademark Registration No. 2412405

For the mark computersdotmom

Date registered 2000-12-12

Georgia Graham Jones

(Name of Petitioner)

v.

Alison Holtzchue

(Name of Registrant)

TRADEMARK TRIAL AND  
APPEAL BOARD  
02 JUN -5 AM 8:23



Cancellation No. ....

(To be inserted by Patent & Trademark Office)

05-23-2002

U.S. Patent & TMO/TM Mail Rpt Dt. #70

PETITION TO CANCEL

Georgia Graham Jones, computer moms®

(Name of individual as petitioner, and business trade name, if any)

42 Pascal Lane, Austin, Texas 78746

To the best of the petitioner's knowledge, the name and address of the current owner of the registration are: Holtzchue, Alison, 1 Whitehall Street, 17th Floor New York NEW YORK 10004

The above-identified petitioner believes that she/it will be damaged by the above-identified registration, and hereby petitions to cancel the same.

computer moms® holds prior state and federal trademarks. It has over sixty (60) franchised licensees in multiple states, and is expanding nationwide. It has been mentioned in the Wall Street Journal, USA Today, and featured on CNN's Business Unusual in an interview taped in New York City before Holtzchue's usage date.

Confusion exists from the very similar name – computers dot mom. The conflict was discovered when potential franchisees and potential customers contacted computers dot mom instead of computer moms®.

Both firms train customers to use their computers stressing a friendly approach, both have proprietary training materials, and interestingly both do not train on Apple Macintosh. Obviously, economic damage will occur from this similar business with similar name, causing confusion to our customers and concern from present and potential franchisees.

6  
In this Internet age, dot is the new appellation for period (.). Certainly, one would not regard United States Government and United States.Government (United States dot Government) to be totally distinct entities.

Additionally, a collateral issue may require cancellation. Holtzchue's operation of computers dot mom is advertised on its web site as wholly occurring at its facilities in New York. Since it does not service clients on an outcall basis; we question how the mark was used under the claimed class in Interstate Commerce.